

09-13-06

AP
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|--|--|---------------------|--------------------|
| Mail Stop AF | | Application Number | 09/670,781 |
| TRANSMITTAL | | Filing Date | September 27, 2000 |
| FORM | | Confirmation Number | 6751 |
| (To be used for all correspondence after initial filing) | | Inventor(s) | DALY |
| | | Group Art Unit | 1761 |
| Express Mail Label No.: EV 196254007 US | | Examiner | Weinstein, S. |
| Total Number of Pages in This Submission: 7 | | Attorney Docket No. | 00-39 RCE 1 |

| ENCLOSURES (check all that apply) | | | |
|---|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (submit in duplicate) | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and Cover Sheet | |
| <input type="checkbox"/> Fee Attached \$ _____ | <input type="checkbox"/> Cover Sheet | <input type="checkbox"/> After Allowance Communication to Group | |
| Check No.: _____ | <input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences | |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Request for Return of PTO-1449 Forms | <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) | |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to the Commissioner | <input type="checkbox"/> Request for Continued Examination (RCE) | |
| <input type="checkbox"/> Affidavits / Declaration(s) | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Status Request Letter | |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Address | <input type="checkbox"/> Small Entity Statement | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Terminal Disclaimer(s) | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Form PTO-1449 | <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Response to Missing Parts / Incomplete Application | |
| <input type="checkbox"/> Cited References | <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail | | |
| <input type="checkbox"/> Search report | | | |
| <input type="checkbox"/> Drawing(s): Number of Pages _____ Number of Figs. _____ and cover sheet | <input type="checkbox"/> Other Enclosure(s): _____ | | |
| <input type="checkbox"/> Formal | | | |
| <input type="checkbox"/> Informal | | | |

Current Due Date: September 13, 2006 (Three Months Extended)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|------------------------|--|
| Individual and Company | Timothy Nathan, Reg. No. 44,256 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668 |
| Signature | |
| Date | September 12, 2006 |

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: September 12, 2006,
Express Mail Label No. EV 196254007 US.

| | | | |
|------------|---------------------------------|------|--------------------|
| Typed Name | Timothy Nathan, Reg. No. 44,256 | | |
| Signature | | Date | September 12, 2006 |

| | | |
|---|--|--|
| <p style="text-align: center;">FEES TRANSMITTAL <small>(Effective 12/08/2004)</small></p> <p>SEP 12 2006</p> <p style="text-align: right;">U.S. PATENT & TRADEMARK OFFICE</p> | | <p>Application Number 09/670,781</p> <p>Filing Date September 27, 2000</p> <p>First Named Inventor DALY</p> <p>Confirmation Number 6751</p> <p>Group Art Unit 1761</p> <p>Examiner's Name Weinstein, S.</p> <p>Attorney Docket No. 00-39 RCE 1</p> |
| "Express Mail" Label No. EV 196254007 US | | |
| TOTAL AMOUNT OF PAYMENT | | \$ 1,520.00 |

| METHOD OF PAYMENT | | | | | FEE CALCULATION (continued) | | | | | |
|--|----------------|---|--------------|-----------|---|-----------------|---|-----------------|--|-------------|
| 1. <input checked="" type="checkbox"/> | | The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: | | | 3. APPLICATION SIZE FEE | | | | | |
| Deposit Account Number | | 50-0558 | | | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S.C. § 41(a)(1)(G) and 37 C.F.R. § 1.16(s). | | | | | |
| Deposit Account Name | | Respironics, Inc. | | | Total Sheets | Extra Sheets | Number of each additional 50 fraction thereof | Fee(\$) | Fee Paid(\$) | |
| | | | | | $-100 = \text{_____}/50 = \text{_____}$ (round up to a whole number) X 250 = 0.00 | | | | | |
| <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17 1.19 and 1.20 | | | | | <input type="checkbox"/> Charge the Issue Fee set forth in 37 C.F.R. § 1.18 | | | | | |
| 2. <input type="checkbox"/> Payment Enclosed: Check (Check No. _____) | | | | | 4. ADDITIONAL FEES | | | | | |
| FEE CALCULATION (fees effective 12/08/2004) | | | | | | | | | | |
| 1. BASIC FILING, SEARCH, AND EXAM FEES (Large Entity Only) | | | | | | | | | | |
| Appln. Type | Filing Fee(\$) | Search Fee(\$) | Exam Fee(\$) | Fees Paid | Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
| Utility | 300 | 500 | 200 | | 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or declaration | |
| Design | 200 | 100 | 130 | | 1811 | 100 | 1811 | 100 | Certificate of Correction | |
| Plant | 200 | 300 | 160 | | 1812 | 2,520 | 1812 | 2,520 | For filing a request for reexamination | |
| Reissue | 300 | 500 | 600 | | 576 | 25 | 576 | 25 | Additional filing receipt, duplicate or corrected due to applicant error | |
| Provisional | 200 | 0 | 0 | | 1251 | 120 | 2251 | 60 | Extension for response within first month | |
| SUBTOTAL (1) | | | | \$ 0.00 | 1252 | 450 | 2252 | 225 | Extension for response within second month | |
| | | | | | 1253 | 1,020 | 2253 | 510 | Extension for response within third month | 1,020.00 |
| | | | | | 1254 | 1,590 | 2254 | 795 | Extension for response within fourth month | |
| | | | | | 1255 | 2,160 | 2255 | 1,080 | Extension for response within fifth month | |
| | | | | | 1401 | 500 | 2401 | 250 | Notice of Appeal | 500.00 |
| | | | | | 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal | |
| | | | | | 1403 | 1,000 | 2403 | 500 | Request for oral hearing | |
| | | | | | 1452 | 500 | 2452 | 250 | Petition to revive unavoidably abandoned application | |
| SUBTOTAL (1) | | | | \$ 0.00 | 1453 | 1,500 | 2453 | 750 | Petition to revive unintentionally abandoned application | |
| | | | | | 1501 | 1,400 | 2501 | 700 | Utility issue fee (or reissue) | |
| | | | | | 1502 | 800 | 2502 | 400 | Design issue fee | |
| | | | | | 1814 | 130 | 2814 | 65 | Statutory Disclaimer | |
| | | | | | 1460 | 130 | 1460 | 130 | Petitions to the Director | |
| | | | | | 1807 | 50 | 1807 | 50 | Petitions related to provisional applications | |
| | | | | | 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| | | | | | 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of property) | |
| | | | | | 1801 | 790 | 2801 | 395 | Request for Continued Examination | |
| | | | | | 1504 | 300 | 1504 | 300 | Publication Fee | |
| | | | | | Other Fee (specify) _____ | | | | | |
| SUBTOTAL (2) | | | | \$ 0.00 | SUBTOTAL (3) | | | | | \$ 1,520.00 |

| SUBMITTED BY | | | | | |
|----------------------|---|------|--------------------|------------------------|---------|
| Type or Printed Name | Timothy A. Nathan | | | Reg. Number | 44,256 |
| Signature |  | Date | September 12, 2006 | Deposit Account Number | 50-0558 |



Certificate of Mailing by "Express Mail"

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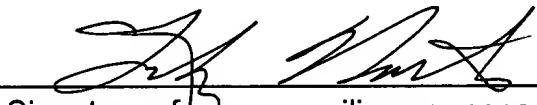
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September 12, 2006

Date of Deposit

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Typed or printed name of person mailing correspondence

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